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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/802,629	03/17/2004	Paul E. Christianson	H0006538 (H000-1-1058)	4909
7590	02/24/2006			EXAMINER NGUYEN, TAN QUANG
			ART UNIT	PAPER NUMBER 3661
DATE MAILED: 02/24/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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10/802629

EXAMINER

ART UNIT PAPER

20060215

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

Tan Nguyen
TAN Q NGUYEN
Primary Examiner
Art Unit: 3661

Office Action Summary	Application No.	Applicant(s)	
	10/802,629	CHRISTIANSON, PAUL E.	
	Examiner	Art Unit	
	TAN Q. NGUYEN	3661	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 17 March 2004.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-35 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-7,13-19 and 25-30 is/are rejected.
- 7) Claim(s) 8-12,20-24 and 31-35 is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 08/12/05
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: _____.

DETAIL ACTION

Notice to Applicant(s)

1. This application has been examined. Claims 1-35 are pending.
2. The prior art submitted on August 12, 2005 has been considered.
3. Receipt is acknowledged of papers submitted under 35 U.S.C. § 119, which have been placed of record in the file.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
5. Claims 1-7, 13-19 and 25-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Day (2002/0188386).
6. With respect to claim 1, Day discloses a method for generating a terrain elevation map in proximity to a vehicle which includes the steps of retrieving elevation data based on aircraft position information generated by the navigation component and generating a terrain referenced navigation data output (see at least figure 7 and paragraphs 0022 to 0043). Day does not explicitly disclose that the data output is a Cartesian coordinate format. However, Ray does disclose that the output is the produced terrain referenced position, velocity and time data output (see paragraph 0043), it would have been

obvious that such output should be in the Cartesian coordinate which can be used in the aircraft application.

7. With respect to claim 2, Day further discloses a memory for storing the generated output (see at least figure 5, item 502).

8. With respect to claims 3-5, Day also discloses the steps of displaying the generated output (see at least figure 3, item 305 to 307).

9. With respect to claims 6 and 7, Day further discloses that the generated output is sent to the radar system (see at least figure 7, items 308 and 309).

10. With respect to claims 12-19 and 25-30, the limitations of these claims have been noted in the rejections above. They are therefore considered rejected as set forth above.

11. Claims 8-12, 20-24 and 31-35 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

12. After carefully reviewing the application in light of the prior art of record and the search of all the possible areas relevant to the present application, a set of related prior art references has been found, but those prior art references are not deemed strong to make these claims unpatentable. although the prior art disclose several claimed limitations, none of the references teaches the step of generating the terrain elevation map comprising initializing the terrain elevation map, updating the initializing terrain map, and updating a rotation angle of the terrain elevation map, wherein the initializing the terrain elevation map comprising the steps recited in claim 9 (see claims 8, 9, 20, 21, 31 and 32).

Conclusion

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13. Claims 1-7, 13-10 and 25-30 are rejected. Claims 8-12, 20-24 and 31-35 are objected.

14. The following references are cited as being of general interest: Waruszewski, Jr. (5,086,396), Levy (5,574,649), Smith et al. (5,995,903), Freeman (6,020,893), Hall et al. (6,216,065), Donoghue et al. (6,288,721), Gia (2001/0023390), and Jamieson et al. (2004/0141170).

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Tan Q. Nguyen, whose telephone number is (571) 272-6966. The examiner can normally be reached on Monday-Thursday from 5:30 AM-4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Black, can be reached on (571) 272-6956.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to the Official Fax Center: (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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/tqn
February 15, 2006

TAN Q. NGUYEN
Primary Examiner
Art Unit 3661

A handwritten signature in black ink, appearing to read "Tan Nguyen". The signature is fluid and cursive, with the first name "Tan" on the top line and "Nguyen" on the bottom line, with a small "Q" preceding "Nguyen".